

# COMMON COUNCIL MEETING MINUTES

MONDAY, MAY 21, 2007 – 6:00 P.M.

COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

## **MEMBERS PRESENT:**

Mayor James Brainard, Council President Joseph C. Griffiths, Council Members Richard L. Sharp, Kevin Kirby, Brian D. Mayo, Ronald E. Carter, Mark Rattermann, Fredrick J. Glaser, Clerk-Treasurer Diana L. Cordray and Deputy Clerk-Treasurer Lois Fine.

Mayor Brainard opened the meeting at 6:01 p.m.

Councilor Mayo pronounced the Invocation.

Mayor Brainard led the Pledge of Allegiance.

## **RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:**

Mayor Brainard presented a proclamation making the week of May 20-26, 2007, Emergency Medical Services (EMS) Week to Chief Keith Smith, Carmel Fire Department.

Councilor Rattermann read a prepared statement to clarify different asset totals concerning the Arts and Design District Arches.

## **APPROVAL OF MINUTES:**

Councilor Mayo made a motion to approve the Minutes of the April 16, 2007 Regular Meeting. Councilor Carter seconded. There was no Council discussion. Council President Griffiths called for the question. The Minutes were approved 7-0.

Councilor Mayo made a motion to approve the Minutes of the May 2, 2007 Special Meeting. Councilor Kirby seconded. There was no Council discussion. Council President Griffiths called for the question. The Minutes were approved 7-0.

## **RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:**

Nancy Heck, Director, Community Relations and Kim Kauffman, Intern, addressed Council regarding the upcoming City of Carmel 2007 Special Census.

Chief Keith Smith, Carmel Fire Department, addressed Council regarding the revenues for the Ambulance Collection Report and the current overtime expenses. Chief Smith also discussed the emergency information magnet that is available from the Fire Department and the Carmel St. Vincent Hospital.

Henry Winckler, 411 Jenny Lane, Carmel, IN 46032, addressed Council regarding the response time from the City Law Department, Central Park discounts, rumor of a hotel at 111<sup>th</sup> & College and the development along the monon trail.

Brian Shera, 754 Marana Drive, Carmel, IN 46032, addressed Council regarding the different asset totals concerning the Arts and Design District Arches.

#### **COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:**

Councilor Sharp addressed Council informing them of a Special Land Use, Annexation and Economic Development Committee meeting that will be noticed for May 24, 2007 at 5:00 p.m. Councilor Sharp also asked that all campaign signs be removed. Councilor Sharp also requested that Doug Haney, City Attorney, present Council with a proposed revision of Ordinance D-1846-07 (Ethics Ordinance) that would incorporate all the changes and/or problems that were found.

Councilor Rattermann addressed Council regarding the numbers for the Arts and Design District Arches.

#### **ACTION ON MAYORAL VETOES:**

There were none.

#### **CLAIMS:**

Councilor Mayo made a motion to approve the claims in the amount of \$2,264,333.18. Councilor Sharp seconded. There was no Council discussion. Council President Griffiths called for the question. Claims were approved 7-0.

Councilor Mayo made a motion to approve the claims in the amount of \$1,746,570.19. Councilor Sharp seconded. There was no Council discussion. Council President Griffiths called for the question. Claims were approved 7-0.

#### **COMMITTEE REPORTS:**

Councilor Kirby reported that the Finance, Administration and Rules Committee had not met.

Councilor Sharp reported that the Land Use, Annexation and Economic Development Committee met and discussed Ordinance Z-503-07 which will remain in committee. They also discussed Ordinance Z-504-07 which was sent to the full Council with a positive recommendation.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met.

Councilor Mayo reported that the Utilities, Transportation and Public Safety Committee had not met.

#### **OLD BUSINESS**

**Fourth Reading of Ordinance D-1846-07;** An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing a Code of Ethics for Carmel Officers and Employees, Amending Chapter 2, Article 5, Adding Section 2-184 of the Carmel City Code; Sponsor(s): Councilor(s) Glaser and Rattermann. This item remains in the Finance, Administration and Rules Committee (6/18/07).

**Second Reading of Ordinance Z-503-07;** An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Cobblestone Commons Planned Unit Development District. This item remains in the Land Use, Annexation and Economic Development Committee (5/24/07).

Council President Griffiths announced the **Second Reading of Ordinance Z-504-07;** An Ordinance of the Common Council of the City of Carmel, Indiana, Change of Zoning Classification, Rezoning of 32.45 Acres of Real Estate, West of Towne Road (Fortune Property), From S-1/Residence to S-2 Residence Zoning Classification (“Trillium”). Councilor Sharp reviewed for the Council the proposed revised commitments from the petitioner. Councilor Sharp made a motion to approve the proposed revised commitments as presented. Councilor Rattermann seconded. There was no Council discussion. Council President Griffiths called for the question. The revised commitments were approved 7-0. Councilor Sharp made a motion to approve Ordinance Z-504-07 with the revised commitments. Councilor Mayo seconded. There was no Council discussion. Council President Griffiths called for the question. **Ordinance Z-504-07** was adopted 7-0.

## **PUBLIC HEARINGS**

There were none.

## **NEW BUSINESS**

Council President Griffiths announced the **First Reading of Ordinance Z-505-07;** An Ordinance of the Common Council of the City of Carmel, Indiana, To Rezone Property from OM/SU and S2 within the US 31 Overlay to B6 within the US 31 Overlay (1328 – 1440 West Main Street). Councilor Kirby made a motion to move this item into business. Councilor Mayo seconded. There was no Council discussion. Council President Griffiths referred Ordinance Z-505-07 to the Land Use, Annexation and Economic Development Committee for further review and consideration.

Council President Griffiths announced **Resolution CC-05-21-07-01;** A Resolution of the Common Council of the City of Carmel, Indiana, Designating the Northeast Corner of Carmel Drive/126<sup>th</sup> Street and North Meridian Street as an Economic Revitalization Area (Capital Bank and Trust Company). Councilor Carter made a motion to move this item into business. Councilor Sharp seconded. Councilor Sharp referred to Larry Gigerich, Managing Director, Ginovus, 8888 Keystone Crossing, Suite 1450, Indianapolis, IN 46240, for a presentation to Council. There was brief Council discussion. Councilor Sharp made a motion to approve Resolution CC-05-21-07-01. Councilor Carter seconded. There was no Council discussion. Council President Griffiths called for the question. **Resolution CC-05-21-07-01** was adopted 7-0.

## **OTHER BUSINESS**

### **a. Property Abatements/Compliance with Statement of Benefits:**

1. Allete Automotive Services
2. St. Vincent Heart Center (SB-1 filed under CIHS Newco, LLC – Heart Hospital)
3. PHT Investment Holdings, LLC (SB-1 filed under CIHS Newco, LLC – MOB)
4. Dealer Services Corporation
5. MCP Partners Two, LLC

6. Midwest Independent Transmission System Operator (MISO)
7. Oak Street Operations, LLC
8. Seven Corners, Inc. (SB-1 filed under 303 Group, LLC – SRI)
9. Oxford BioSignals
10. Zotec Solutions, Inc.

Council President Griffiths referred to Clerk-Treasurer Diana L. Cordray for a presentation to Council. There was brief Council discussion. The Property Abatements/Compliance with Statement of Benefits were sent to the Land Use, Annexation and Economic Development Committee for further review and consideration.

## **ANNOUNCEMENTS**

There were none.

## **EXECUTION OF DOCUMENTS**

## **ADJOURNMENT**

Mayor Brainard adjourned the meeting at 6:52 p.m.

Respectfully submitted,

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Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

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Mayor James Brainard

ATTEST:

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Clerk-Treasurer Diana L. Cordray, IAMC